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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA VA 22314

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OFFICE OF PETITIONS

In re Application of
Yoshida
Application No. 10/812,947
Filed: March 31, 2004
Attorney Docket No. 257079US8

ON PETITION

This is a decision on the petition under 37 CFR §1.181(a) to withdraw the holding of abandonment, filed June 20, 2006.

The petition to withdraw the holding of abandonment is **GRANTED**.

This application became abandoned for failure to timely submit a response to the non-final Office Action mailed August 26, 2005. The Notice set an extendable 3 month period for reply. No extensions of time pursuant to 37 CFR 1.136(a) were obtained. Accordingly, this application was held abandoned on November 27, 2005. A Notice of Abandonment was mailed on April 20, 2006.

Petitioner asserts that the non-final Office Action mailed on August 26, 2005 was never received. A review of the record indicates the non-final Office Action was mailed to an incorrect correspondence address. Petitioner submitted a Power of Attorney, change of correspondence address and statement under 37 CFR 3.73(b) on September 30, 2004. A review of the record shows that a copy of the change of correspondence address was received but not entered. Thus, the non-final Office Action was improperly mailed.

This application is being forwarded to Art Unit 2822 for re-mailing of the non-final Office Action to the current correspondence address of record. The non-final Office Action extendable period for reply will start upon the re-mailing of the Office Action.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charlema R. Grant
Petitions Attorney
Office of Petitions